



OFFICE OF ADMINISTRATIVE LAW
CERTIFICATE OF PROPOSAL,
ADOPTION AND PROMULGATION

TO: **Audrey Bennerson, APO**
Higher Education

I. PROPOSED RULE (Completed by OAL)

(a) Proposal Number:

PRN 2013-020

(b) Subject of Proposal

**Rules and Procedures for Implementation
of the Building Our Future Bond Act**

(c) Proposing Agency

Secretary of Higher Education

(d) Legislative Receipt

12/19/2012

(e) Calendar Reference

Exception

(f) Proposal Notice Citation

45 N.J.R. 100(a)

(g) Type of Rule

1. ☒ New Rule
2. ☐ Amendment
3. ☐ Repeal
4. ☐ Readoption
5. ☐ Concurrent Proposal

(h) Code Citation N.J.A.C.

9A:18

(i) Publication Date

1/22/2013

(j) This is to certify that the notice of proposed rule was filed and published in the New Jersey Register pursuant to N.J.S.A. 52:14B-3(4) and 4(a)(1).

Mark J. Stanton

Manager, Div. of Admin. Rules

1/22/2013

Date

II. RULEMAKING RECORD AND ADOPTION OF PROPOSED RULE (To be completed by proposing Agency)

(a) Public Notice for Proposal

1. ☒ New Jersey Register
2. ☒ State House News Media
3. ☒ Agency Website
4. ☒ Other Secondary Notice

(Specify) **NJ Higher Education
Distribution List**

(b) Public Comment Permitted

1. ☒ Written Statement
2. ☐ Phone Conversation
3. ☐ Public Hearing
4. ☐ Personal Interview
5. ☐ Conference
6. ☐ Other

(Specify)

(c) Special procedure initiated pursuant to the APA or otherwise required by law

1. ☐ Pre-Proposal for a Rule
2. ☐ Petition for a Rule
3. ☐ Public Hearing
 - ☐ i. Pursuant to N.J.S.A. 52:14B-4(a)(3)
 - ☐ ii. Mandatory
 - ☐ iii. Discretionary
4. ☐ Submission to Advisory Board
 - ☐ i. Mandated by:

5. ☐ Special Notice
 - ☐ i. Mandated by:

6. ☐ Notice of Substantial Changes pursuant to N.J.S.A. 52:14B-4.10
7. Other (Specify)
 - ☐ i. Mandated by:

(d) Public Hearing (where applicable)

1. Date(s)
2. Place(s)
3. No. persons testified

(e) Record of Public Comment

1. ☒ File of Written Statement
2. ☐ Transcript of Public Hearing
3. ☐ Public Hearing Officer's Report
4. ☐ List of Individuals or Associations
5. ☐ Minutes of Conference or Other Meeting, or Discussion Summary
6. ☒ Number of Persons who Commented
1
7. ☐ No Comments Received

Include List of Commenters and Summary of Public Comments Received and Agency Responses in Adoption Notice

(f) Variance between Proposal and Adoption

1. ☐ No Change
2. ☒ With Changes Not in Violation of N.J.A.C. 1:30-6.3

Include Explanation of, and Reasons for, Changes in Adoption Notice

(i) Type of Adoption

1. ☒ Ordinary Rule
2. ☐ Emergency Rule
3. ☐ Special Rule
4. ☐ Organizational Rule
5. ☐ Federally Required Rule
6. ☐ N.J.S.A. 52:14B-5.1a/E.O. 66 Readoption
7. ☐ Readoption of Emergency or Special Rule

Attach Statement of Imminent Peril and Expiration Date for any Emergency Rule

(g) Operative Date

1. ☒ Upon Promulgation (Date of Publication)
2. ☐ After Promulgation (specify cite(s) and date(s))
3. ☐ Upon Filing (for Emergency and Readopted rules, if filed timely)

(j) OAL Log

R. 2013 d. 075

Date Received:

Date Filed:

(k) Adoption. Pursuant to the authority of N.J.S.A. **18A:72A-1et seq** and in accordance with the New Jersey APA and any applicable provisions of State or Federal statutes or regulations, the (Agency) **and P/L/ 2012, c.42 Office of the Secretary of Higher Education** hereby adopts this proposal and certifies that the rulemaking record contained in and attached to this Certificate complies with N.J.A.C. 1:30-5.6.

ORDERED this **26** day of **March**, 2013

Audrey Bennerson

Administrative Practice Officer
Signature and Title of Adopting Officer

III. PROMULGATION (Completed by OAL)

(a) Code Citation: N.J.A.C. **9A:18**

(b) Document Number: **R. 2013 d. 075**

(c) Adoption Notice Citation **45 N.J.R. 1136(a)**

(d) Publication Date **5/6/2013**

(e) This is to certify that the adopted rule was filed and promulgated pursuant to N.J.S.A. 52:14B-1 et seq.

Mark J. Stanton

Manager, Div. of Administrative Rules

5/6/2013

Date